

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KELLY NANKERVIS,

Plaintiff,

Case No. 17-cv-11175

Hon. Matthew F. Leitman

v.

MATT GOEBEL, et al.,

Defendants.

**ORDER (1) DENYING WITHOUT PREJUDICE DEFENDANTS EBY,
HOPKINS, MENDOZA, AND PARRA'S MOTION FOR SUMMARY
JUDGMENT (ECF #14), (2) DENYING WITHOUT PREJUDICE
DEFENDANT COLÓN'S MOTION FOR SUMMARY JUDGMENT (ECF
#16), (3) DISMISSING WITHOUT PREJUDICE THE CLAIMS AGAINST
DEFENDANT EBY, (4) REQUIRING DEFENDANTS HOPKINS,
MENDOZA, PARRA, AND COLÓN TO ANSWER COMPLAINT, AND (5)
REQUIRING RULE 26(f) REPORT**

On June 6, 2017, Defendants Todd Eby, Chadwick Hopkins, Benito Mendoza, and Alejandro Parra filed a motion for summary judgment. (*See* ECF #14.) On June 19, 2017, Defendant Jesús Colón filed a motion for summary judgment. (*See* ECF #16.) The Court held a hearing on both motions on November 1, 2017.

For the reasons stated on the record at the hearing, the Court **DENIES WITHOUT PREJUDICE** both motions for summary judgment.

IT IS FURTHER ORDERED that:

- Pursuant to the statements by Plaintiff's counsel on the record at the hearing, the claims against Defendant Eby are **DISMISSED WITHOUT PREJUDICE**.
- Defendants Hopkins, Mendoza, Parra, and Colón shall answer the Complaint on or before November 22, 2017.
- The parties shall submit to the Court a report pursuant to Federal Rule of Civil Procedure 26(f) within 14 days of the filing of Defendants' Answer.

IT IS SO ORDERED.

Dated: November 3, 2017

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 3, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764